



September 22, 2025

**VIA ECF**

Hon. J.P. Stadtmueller  
United States District Court  
Eastern District of Wisconsin  
United States Federal Building and Courthouse  
517 E. Wisconsin Ave.  
Milwaukee, WI 53202

Re: Jane Doe v. Elkhorn Area School District, et al., Case No. 24-cv-354

Dear Judge Stadtmueller:

We have been made aware that the Seventh Circuit issued an order on September 19, 2025 in *A.C. v. Metro. Sch. Dist. of Martinsville*, 25-1094, in which it held the appeal without oral argument until the Supreme Court issues its opinion in *West Virginia v. B.P.J.*, No. 24-43 (cert. granted July 3, 2025). As the Court acknowledged in its September 9, 2025 Text Only Order, *Martinsville* may ultimately create precedent that will be dispositive in this case. As the Supreme Court's decision in *B.P.J.* and the Seventh Circuit's decision in *Martinsville* will ultimately provide substantial guidance in this case, Defendants believe it is unnecessary to further brief the impact of *United States v. Skrmetti*, 145 S. Ct. 1816, 222 L.Ed.2d 136 (2025) at this time. Defendants would only ask the Court to hold its decision on summary judgment in this case pending the disposition of *B.P.J.* and *Martinsville*.

Thank you for your continued attention to this matter.

Sincerely,

STADLER SACKS LLC

/s/ Ronald S. Stadler

Ronald S. Stadler

CC: All Counsel of Record (via ECF)